

JUN 6 2013

DEPT OF INSURANCE
BY [Signature]

Docket No. 13A-066-INS

CONSENT ORDER

Respondent.

In the Report of Target Market Conduct Examination of the Market Conduct Affairs of American Summit Insurance Company, the examiners allege that ASIC violated A.R.S. §§20-220, 20-462, 20-466.03, 20-2106, 20-2110 and A.A.C. R20-6-801, as well as Consent Order, Docket No. 02A-158-INS dated September 10, 2002.

American Summit Insurance Company wishes to resolve this matter without formal proceedings, admits that the following Findings of Fact are true, and consents to the entry of the following Conclusions of Law and Order.

1. American Summit Insurance Company is authorized to transact property and casualty insurance pursuant to a Certificate of Authority issued by the Director.

2. The Director authorized the examiners to conduct a target market conduct examination of American Summit Insurance Company. The examination covered the time period from January 1, 2011 through December 31, 2011 and concluded on September 14, 2012. Based on their findings, the examiners prepared the "Report of Target Market Conduct Examination of American Summit Insurance Company" dated December 31, 2011.

CONSENT TO ORDER

1. American Summit Insurance Company has reviewed the foregoing Order.

2. American Summit Insurance Company admits the jurisdiction of the Director of Insurance, State of Arizona, admits the foregoing Findings of Fact, and consents to the entry of the Conclusions of Law and Order.

3. American Summit Insurance Company is aware of the right to a hearing, at which it may be represented by counsel, present evidence and cross-examine witnesses. American Summit Insurance Company irrevocably waives the right to such notice and hearing and to any court appeals related to this Order.

4. American Summit Insurance Company states that no promise of any kind or nature whatsoever was made to it to induce it to enter into this Consent Order and that it has entered into this Consent Order voluntarily.

5. American Summit Insurance Company acknowledges that the acceptance of this Order by the Director of the Arizona Department of Insurance is solely for the purpose of settling this matter and does not preclude any other agency or officer of this state or its subdivisions or any other person from instituting proceedings, whether civil, criminal, or administrative, as may be appropriate now or in the future.

6. Darren Parmenter, who holds the office of President and COO of American Summit Insurance Company, is authorized to enter into this Order for them and on their behalf.

AMERICAN SUMMIT INSURANCE COMPANY

5/21/13
Date

By D Parmenter

1 COPY of the foregoing mailed/delivered
2 this 6th day of June, 2013, to:

3 Germaine L. Marks
4 Director of Insurance

5 Mary Butterfield
6 Assistant Director
7 Consumer Affairs Division

8 Helene I. Tomme
9 Market Examinations Supervisor
10 Market Oversight Division

11 Dean Ehler
12 Assistant Director
13 Property and Casualty Division

14 Kurt Regner
15 Assistant Director
16 Financial Affairs Division

17 David Lee
18 Chief Financial Examiner

19 Alexandra Shafer
20 Assistant Director
21 Life and Health Division

22 Chuck Gregory
23 Special Agent Supervisor
24 Investigations Division

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16 DEPARTMENT OF INSURANCE
17 2910 North 44th Street, Suite 210
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19
20 Charles R. Cohen
21 American Summit Insurance Company
22 c/o Low & Cohen, PLLC
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EXHIBIT A

Fraud Warning Statement – The Company failed to provide a fraud warning statement in at least 12-point type on three (3) claim forms. These represent three (3) violations of A.R.S. § 20-466.03.

The following table lists the claim forms which fail to include a compliant fraud warning statement:

	Specimen Form / Letter Description	Form #
1	Cause of Loss Questionnaire and Affidavit	None
2	Schedule of Contents	None
3	Burglary/Theft Loss Statement	None